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REMARKS

Claims 1-25 are currently pending in the subject application and are presently under consideration. Claims 10 and 25 have been cancelled, and new claims 26 and 27 have been added herein. Claim 1 has been amended to include limitations of allowable claim 10. Claims 2-9 and 11-12 have also been amended.

New claim 27 is a system claim written in means plus function form that includes subject matter from claim 10 deemed allowable by the Examiner. Further, the claim limitations map to structures illustrated in the figures and described in the specification. In particular, the limitation "means for directing light towards a grating resident upon the wafer" is supported by the light source (590) and target light sources (520) illustrated in Fig. 5 as well as the associated description. (See p. 13, line 30 – p. 14 line 2; p. 14, lines 14-18). The limitation "means for measuring an etching parameter based at least in part upon light reflected from the grating" is supported by the etching monitoring system (570) and associated scatterometry system (575) illustrated in Fig. 5 and accompanying description. (See p. 14, lines 2-5). The limitation "means for utilizing a processor to logically partition the wafer into a plurality of grid blocks" is supported by the processor (540) of Fig. 5 as well as Figs. 7-9 and accompanying description. The limitation "means for utilizing the processor to determine acceptability of a measured etching parameter within one of the plurality of grid blocks" is also supported by such Figures and corresponding text.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claim 1 under 35 U.S.C. §103(a)

Claim 1 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Eriguchi, *et al.* (US 6,113,733) in view of Su (US 6,486,492). Reconsideration and allowance of claim 1 is respectfully requested for at least the following reasons. Claim 1 has been amended to include limitations of claim 10 deemed allowable by the Examiner. Accordingly, withdrawal of this rejection is respectfully requested.

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II. Rejection of Claims 2-6 and 8 under 35 U.S.C. §103(a)

Claims 2-6 and 8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Eriguchi, *et al.* and Su, and further in view of Xu, *et al.* (US 6,483,580). Withdrawal of this rejection is respectfully requested for at least the following reasons. Claims 2-6 and 8 depend (directly or indirectly) from claim 1, which is believed to be in condition for allowance. Therefore, this rejection is moot.

III. Rejection of Claims 7 and 9 under 35 U.S.C. §103(a)

Claims 7 and 9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Eriguchi, *et al.*, Su, Xu, *et al.*, and further in view of Ko, *et al.* (US 6,117,791). Withdrawal of this rejection is respectfully requested for at least the following reasons. Independent claim 1 has been amended to include allowable limitations of claim 10, and claims 7 and 9 depend from independent claim 1 (which is believed to be in condition for allowance). Accordingly, reversal of this rejection is respectfully requested.

IV. Rejection of Claim 25 Under 35 U.S.C. §112

Claim 25 stands rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 25 has been cancelled. Accordingly, withdrawal of this rejection is respectfully requested.

V. Rejection of Claim 25 Under 35 U.S.C. §103(a)

Claim 25 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Jahns (US 5,711,843) in view of Su (US 6,486,492) and further in view of Xu (US 6,483,580). As claim 25 has been cancelled herein, it is respectfully submitted that this rejection should be withdrawn.

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CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063[AMDP662US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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